Mandatory Supervised Release

References

- SECNAVINST 15815.3H of 5 Oct 93
- DODI 1325.7 of 17 Jul 01
- Clemency and Parole Board Mandatory Supervised Release Guidance of May 03
- SECNAVINST 1640.9B of 2 Dec 96

MSR OVERVIEW

- **Purpose:** Supervised release of prisoners who are not granted parole prior to their minimum release date is a highly effective technique to provide an orderly transition to civilian life and to better protect communities into which such prisoners are released.

Criteria for MSR Candidacy:

- All prisoners who have an approved finding of guilty for any offense that occurred or was committed on or after 16 August 2001, and are not paroled.
- By reviewing court-martial orders or trial records, confinement facility wardens shall identify those prisoners who meet the above criteria and review them for MSR candidates.
- Prisoners who are returning to a confinement facility for reduction in sentence or additional punitive action, for example parole violations are not eligible.

Eligibility

- Prisoners whose approved sentence (adjudged if CA action hasn’t acted) to confinement is less than one year shall not be reviewed by the Clemency and Parole Boards, but shall be approved by the confinement facility’s warden. If the warden of the confinement facility determines that MSR is appropriate, that recommendation will be forwarded to the Clemency and Parole Boards.

Eligibility (Cont)

- All other MSR recommendations will be submitted to the appropriate Clemency and Parole Board when it conducts its annual review of the prisoner for Clemency. The following criteria must be met:

  * Any prisoner with an approved sentence to confinement that is three years or longer.

Eligibility (Cont)

* Any prisoner with an approved sentence to confinement that is less that three years, but it considered an appropriate MSR candidate by the confinement facility's warden or by the Clemency and Parole Board during a prior review of the prisoner's case.

* Any prisoner with an approved sentence to confinement that is one year or longer, who was convicted of a violent offense or a sexual offense, in accordance with the offense list in the handouts.

Advantages

1. Submission guidelines and release procedures are identical to the established parole procedures, for example, must have tender of employment/residence, etc.

2. Prisoner has the right to refuse the MSR program prior to release.

3. Ensures the prisoner will not contact any of his victims, negative influences and he must seek community/family support and treatment resources.

Disadvantages

1. Increases workload for probation officers.

2. Submissions from the confinement facilities could have bias motives, both for or against.

3. Increased flow of offenders in the community.

QUESTIONS????